



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Crawford et al.
SERIAL NUMBER : 10/587,777 EXAMINER : Etsub D. Berhanu
FILING DATE : July 28, 2006 ART UNIT : 3768
FOR : NON-INVASIVE SPECTROSCOPY OF MAMMALIAN TISSUES

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of References Cited: B6-B15;
4. Check in the amount of \$180.00 (# 26108); and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 35947-002. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ingrid A. Beattie, Reg. No. 42,306

Kyle Turley, Reg. No. 57,197

Attorneys for Applicants

c/o MINTZ, LEVIN

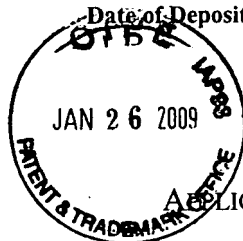
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Date: January 26, 2009



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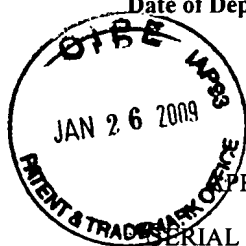
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed. This Supplemental Information Disclosure Statement is also citing the references from the Notice of Reasons for Rejection for Japanese Patent Application No. 2002-578804, mailed November 12, 2008. Applicants would like to bring to the Examiner's attention that reference B10 is the English patent publication corresponding to Japanese reference B8, and reference B11 is the English patent publication corresponding to Japanese reference B9, respectively.

Regarding the Japanese references without an English translation, pursuant to 37 C.F.R. § 1.98(a)(3)(i), as it is presently understood by an individual designated in 37 C.F.R. § 1.56(c), the relevance of references B13-B14 to the present application is based on the fact that these references were cited by at least one Patent Office (U.S. or otherwise) in an application having subject matter that is related, at least in part, to the present application.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has

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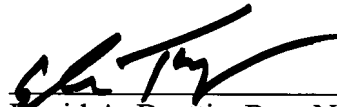
been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

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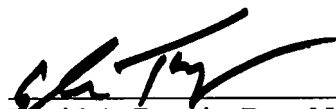
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